

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Linda Marshall, Ben Dampios, Al Spilloway,
Bernie Apotheker, Harry Esposito and Brent
Wentz, et al.

V.

Milberg Weiss Bershad & Schulman LLP, Lerach
Coughlin Stoia Geller Rudman & Robbins LLP,
Melvyn I. Weiss, David J. Bershad, et al.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 cv 6950 (LAP)

TO: (Name and address of Defendant)

WILLIAM S. LERACH
9776 La Jolla Farms Road
La Jolla, California 92037

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Beatie and Osborn LLP
521 Fifth Avenue, Suite 3400
New York, New York 10175

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 07 2008

CLERK

DATE



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, FIRST AMENDED CLASS ACTION COMPLAINT**
 EFFECTED (1) BY ME: **OUT OF STATE**
 TITLE: **PROCESS SERVER**

DATE: 4/18/08

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

WILLIAM S LERACH

Place where served:

9776 LA Jolla Farms Road, LA Jolla, CA 92037

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: M AGE: 70 HEIGHT: 5-11 WEIGHT: 210 SKIN: White HAIR: Light Brown OTHER: _____☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4 / 18 / 20 08

Whitell L.S.
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

ATTORNEY: RUSSEL H NEATIE, ESQ
 PLAINTIFF: LINDA MARSHALL, ET AL
 DEFENDANT: MILBERG WEISS BERSHAD, ET AL
 VENUE: SOUTHERN DISTRICT OF NEW YORK
 DOCKET: 07 CV 6950(LAP)

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

RR